

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

BRIAN J. STRETCH (CABN 163973)  
Chief, Criminal Division

WENDY THOMAS (NYBN 4315420)  
Special Assistant United States Attorney

450 Golden Gate Avenue  
San Francisco, California 94102  
Telephone: (415) 436-6809  
Facsimile: (415) 436-7234  
E-Mail: wendy.thomas@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	Criminal No. CR 08-0289 MAG
	)	
Plaintiff,	)	
	)	
v.	)	<b>[PROPOSED] ORDER AND</b>
	)	<b>STIPULATION EXCLUDING TIME</b>
LAURA E. PRUITT,	)	<b>FROM AUGUST 20, 2008 to AUGUST</b>
	)	<b>19, 2009.</b>
Defendant.	)	
	)	
	)	

On June 3, 2008, the parties in this case appeared before the Court for an initial appearance on a misdemeanor and arraignment. At that time, the parties stipulated that time should be excluded from the Speedy Trial Act calculations from June 3, 2008, to August 5, 2008, for the defendant to be evaluated by Pretrial Services for her eligibility for pretrial diversion. The matter was then continued to August 20, 2008, to allow Pretrial Services more time to complete their evaluation. Since that time, Ms. Pruitt has been accepted into pretrial diversion and has been placed on pretrial diversion. Accordingly, the parties request that the August 20, 2008, appearance be vacated and the case be continued for approximately twelve months for the

**[PROPOSED] ORDER AND  
STIPULATION EXCLUDING TIME  
CR 08-0289 MAG**

1 defendant to complete her pretrial diversion. Accordingly, the parties agree that the prosecution  
 2 will be deferred from August 20, 2008, to August 19, 2009, or as soon thereafter as the matter  
 3 may be heard, for Ms. Pruitt to complete the pretrial diversion program, and that time should be  
 4 excluded under the Speedy Trial Act from August 20, 2008, to August 19, 2009, for deferral of  
 5 prosecution. *See* 18 U.S.C. § 3161(h)(2). The parties agree that pretrial diversion is an  
 6 appropriate disposition of this case and that - taking into account the public interest in prompt  
 7 disposition of criminal cases - good cause exists for this extension. 18 U.S.C. § 3161(h)(2).

8 IT IS SO STIPULATED:

9 JOSEPH P. RUSSONIELLO  
 United States Attorney

10 DATED: 8/19/08

11 /s/  
 WENDY THOMAS  
 Special Assistant United States Attorney

12 DATED: 8/19/08

13 /s/  
 BARRY PORTMAN  
 Attorney for Ms. Pruitt

14  
 15  
 16 Based on the stipulation of the parties and for good cause shown, IT IS HEREBY  
 17 ORDERED that time is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(2)  
 18 from August 20, 2008, to August 19, 2009, for deferral of prosecution by the United States for the  
 19 purpose of allowing the defendant to complete a pretrial diversion program.

20  
 21 DATED: \_\_\_\_\_

22 BERNARD ZIMMERMAN  
 United States Magistrate Judge